

QUESTIONS AND ANSWERS # 2
Request for Proposals
Energy Technical Services Provider
For the Maryland Energy Administration
PROJECT NO. DEXR3400002
May 8, 2013

Ladies/Gentlemen:

This List of Questions and Answers #2, questions #13 through #17 as well as a revised question #3 response, is being issued to clarify certain information contained in the above named RFP. The statements and interpretations of Contract requirements which are stated in the following questions of potential Offerors, are not binding on the State, unless the State expressly amends the RFP. Nothing in the State's responses to these questions is to be construed as agreement to or acceptance by the State of any statement or interpretation on the part of the vendor asking the question as to what the contract does or does not require. However, if from a particular vendor question(s), it seems as if the vendor has misinterpreted RFP wording referenced in a question, the State's response typically will point out the misinterpretation as part of the answer to the question.

The MEA has revised its response to Q&A#1, question 3 as follows:

REVISED STATE RESPONSE to Question 3 (with additions shown in CAPS and deletions stricken out):

The contract requires that the Contractor and its ~~sub-contractors~~ (Emphasis Added) maintain all insurance as required in RFP section 2.8.3. SUB-CONTRACTORS MUST MAINTAIN INSURANCE COVERAGE AS OUTLINED IN AMENDED RFP SECTION 2.8.6. ~~Where it might be appropriate, a sub-contractor may be released from certain insurance requirements, if the MEA deems it is appropriate. See RFP section 2.8.6 and 2.8.6.1 for details.~~

13. Is there a specific form that subcontractors can submit if they are requesting a waiver, or do they simply do it in letter format?

STATE RESPONSE:

Amendment #4, issued 5/6/13, removes the requirement that all subcontractors carry insurance coverage levels *equal* (Emphasis added) to that of the prime contractor. Section 2.8.6 now states that the Contractor needs to require their subcontractors to obtain and maintain insurance coverage that is *similar* (Emphasis added) to the coverage limits defined in 2.8.3. As such, the Contractor is responsible for determining whether the sub- contractor's insurance coverage is similar for the relevant service

industry for which they are being engaged. Attention is directed to Section 10 of the sample contract which delineates the indemnification requirements of the contract.

Amendment #4 removes RFP section 2.8.6.1. For this reason, sub-contractor insurance coverage waiver requests will not be accepted.

14. Is the prime contractor allowed to submit this request as well. I just wanted clarity on this point as it mentions subcontractors, but not the prime?

STATE RESPONSE:

Please see the response to question #13 related to insurance coverage waivers.

15. Does the prime need to submit proof of this insurance with the proposal or only upon execution of a contract?

STATE RESPONSE:

Section 2.8.4 of the RFP states that certificates of insurance need to be submitted to the Contract Manager upon execution of the contract. Proof of insurance does not need to be submitted as part of the proposal.

16. Do the subcontractors need to submit proof of insurance with the proposal, upon execution of the main contract, or upon receiving an assignment under a task order?

STATE RESPONSE:

Section 2.8.6 indicates that the Contractor is responsible for requiring that subcontractors obtain and maintain insurance coverage. Subcontractors are not required to submit the insurance documentation unless this information is specifically requested by MEA after contract award.

17. Is it required that we become registered with the Dept. of Assessments & Taxation, prior to the submission of our proposal for the aforementioned project?

STATE RESPONSE:

Upon being notified of being recommended for contract award, the recommended Offeror must register with the Maryland Dept. of Assessments & Taxation. This must occur prior to proceeding with any award. So, although registration is not required at the time you submit your proposal, it is strongly recommended that you do so.

Should you require clarification of the information provided, please contact me via e-mail or (410) 260-7752 as soon as possible.

Date Issued: May 8, 2013

By: _____
Maria Ulrich
Procurement Officer